Secta. IX-57—100,000—21-6-51

Development (1952) Department.

MS **SERIES.**

G.O. No. 1032

Dated 13 - 3 - 1952

[Despatch Abstract.]

Acts and Rules — Minimum Wages Act, 1948 — Draft rules thereunder — Published

DEVELOPMENT DEPARTMENT

G.O. No. 1032, 13th March 1952

Acts and rules—Minimum Wages Act, 1948—Draft rules thereunder—Published.

READ—the following paper :—

G.O. Ms. No. 4045, Development, dated 5th October 1950.

Order—No. 1032, Development, dated 13th March 1952.

The Superintendent, Government Press, is requested to publish the appended notification in English and in the languages of the State in the *Fort St. George Gazette*. The Senior Translator to Government is requested to supply the Superintendent, Government Press, with the requisite translations of the notification.

(By order of His Excellency the Governor)

J. M. LOBO PRABHU,
Secretary to Government.

To the Superintendent, Government Press, for publication of the notification.
" Senior Translator to the Government of Madras (6 copies).
" Commissioner of Labour, Madras.
" Commissioner of Police, Madras.

Copy to all District Magistrates.
" the Chief Engineers, Madras.
" the Inspector of Municipal Councils and Local Boards, Madras.
" the Director of Industries and Commerce, Madras.
" the Director of Agriculture, Madras.
" the Chief Conservator of Forests, Madras.
" the Board of Revenue (Civil Supplies), Madras.
" the Board of Revenue (Land Revenue), Madras.
" the Transport Commissioner.
" the Commissioner, Corporation of Madras (through Mayor, Madras).
" the Commissioners of Municipalities (through Chairmen).
" the District Panchayat Officer (through the Inspector of Municipal Councils and Local Boards).
" the Legal Department.
" the Home Department.
" the Local Administration Department.
" the Food and Agriculture Department.
" the Public Works Department.
" the Finance Department.
" the Accountant-General, (through Finance).
" the Chief Commissioner of Coorg, Mercara.
" the Director, Labour Bureau, Simla.
" the Government of India, Ministry of Labou, New Delhi (4 copies).

[Appendix

APPENDIX.

NOTIFICATION.

The following draft of certain rules which it is proposed to make in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (Central Act XI of 1948), is hereby published for the information of all persons likely to be affected thereby as required by sub-section (1) of the said section.

Notice is hereby given that the draft will be taken into consideration on or after the 4th June 1952 and that any objection or suggestion which may be received from any person with respect thereto before the date aforesaid will be considered by the Government of Madras. Objections and suggestions should be addressed to the Secretary to the Government of Madras in the Development Department through the Commissioner of Labour, Madras.

DRAFT RULES.

CHAPTER I.

Preliminary.

1. *Short title and extent.*—(1) These rules may be called the Minimum Wages (Madras) Rules, 1952.

(2) They extend to the State of Madras.

2. *Interpretation.*—In these rules, unless the context otherwise requires—

(*a*) 'Act' means the Minimum Wages Act, 1948;

(*b*) 'advisory committee' means an advisory committee appointed under section 6 and includes an advisory sub-committee appointed under that section;

(*c*) 'Authority' means the authority appointed under sub-section (1) of section 20;

(*d*) 'Board' means the Advisory Board appointed under section 7;

(*e*) 'Chairman' means the Chairman of the Advisory Board, the Committee or the Advisory Committee, as the case may be appointed under section 9;

(*f*) 'committee' means a committee appointed under clause (*a*) of sub-section (1) of section 5 and includes a sub-committee appointed under that section;

(*g*) 'form' means a form appended to these rules;

(*h*) 'Government' means the Government of Madras;

(*i*) 'Inspector' means a person appointed as Inspector under section 19;

(*j*) 'registered trade union' means a trade union registered under the Indian Trade Unions Act, 1926; and

(*k*) 'section' means a section of the Act.

CHAPTER II.

Members and staff and meetings of the Board, Committee and Advisory Committee.

3. *Term of office of the members of the Committee and the Advisory Committee.*—The terms of office of the members of the Committee or an Advisory Committee shall be such as in the opinion of the Government are necessary for completing the enquiry into the scheduled employment concerned and the Government may, at the time of the constitution of the Committee or an Advisory Committee, as the case may be, fix such terms and may, from time to time, extend them as circumstances may require.

4. *Term of office of members of the Board.*—(1) Save as otherwise expressly provided in these rules, the term of office of a non-official member of the Board shall be two years commencing from the date of his nomination:

Provided that such member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his successor is nominated.

(2) A non-official member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated.

(3) The official members of the Board shall hold office during the pleasure of the Government.

5. *Travelling allowance.*—A non-official member of the Committee, an Advisory Committee or the Board shall be entitled to draw travelling and halting allowances for any journey performed by him in connexion with his duties as such member at the rates and subject to the conditions applicable to a non-official member of first-class committees as laid down by the Government from time to time.

6. *Staff.*—(1) The Government may appoint a Secretary to the Committee, an Advisory Committee or the Board, and such other staff as it may think necessary, and may fix the salaries and allowances payable to them and specify their conditions of service.

(2) (i) The Secretary shall be the Chief Executive Officer of the Committee, the Advisory Committee or the Board, as the case may be. He may attend the meetings of such Committee, Advisory Committee or Board but shall not be entitled to vote at such meetings.

(ii) The Secretary shall assist the Chairman in convening meetings and shall keep a record of the minutes of such meetings and shall take necessary measures to carry out the decisions of the Committee, the Advisory Committee or the Board, as the case may be.

7. *Eligibility for renomination of the members of the Committee, Advisory Committee and the Board.*—An outgoing member shall be eligible for renomination for the membership of the Committee, Advisory Committee or the Board of which he was a member.

8. *Resignation of the Chairman and members of the Committee, Advisory Committee and the Board and filling of casual vacancies.*—(1) A member of the Committee, Advisory Committee or the Board other than the Chairman may, by giving notice in writing to the Chairman, resign his membership.

(2) The Chairman may resign by letter addressed to the Government.

(3) When a vacancy occurs or is likely to occur in the membership of the Committee, Advisory Committee or the Board, the Chairman shall immediately submit a report to the Government. The Government shall then take steps to fill the vacancy aforesaid.

9. *Cessation and restoration of membership.*—(1) If a member of the Committee, Advisory Committee or the Board fails to attend three consecutive meetings, he shall, subject to the provisions of sub-rule (2), cease to be a member thereof.

(2) A person, who ceases to be a member under sub-rule (1), shall be given intimation of such cessation by a letter sent to him by registered post within a period of fifteen days from the date of such cessation. The letter shall indicate that if he desires restoration of his membership, he may apply therefor within a period of thirty days from the receipt of such letter. The application for restoration of membership, if received within the said period, shall be placed before the Committee, the Advisory Committee or the Board, as the case may be, and if a majority of members present at the next meeting is satisfied that the reasons for failure to attend three consecutive meetings are adequate, the member shall be restored to membership immediately after a resolution to that effect is passed.

10. *Disqualification.*—(1) A person shall be disqualified for being nominated as, and for being a member of the Committee, Advisory Committee or the Board, as the case may be,—

(i) if he is declared to be of unsound mind by a competent court; or

(ii) if he is an undischarged insolvent; or

(iii) if before or after the commencement of the Act, he has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a disqualification has been incurred under sub-rule (1), the decision of the Government thereon shall be final.

11. *Meetings.*—The Chairman may, subject to the provisions of rule 12, call a meeting of the Committee, Advisory Committee or the Board, as the case may be, at any time he thinks fit:

Provided that on a requisition in writing from not less than one-half of the members or not less than two thirds of the representatives of the employers or of the employees, as the case may be, the Chairman shall call a meeting within a period of fifteen days from the date of receipt of such requisition.

12. *Notice of meetings.*—The Chairman shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by registered post at least fifteen days before the date fixed for such meeting:

Provided that in the case of an emergent meeting, notice of at least seven days shall be given to every member.

13. *Chairman.*—(1) The Chairman shall preside at the meetings of the Committee, Advisory Committee or the Board, as the case may be.

(2) In the absence of the Chairman at any meeting the members shall elect from among the independent members, by a majority of votes, a member, who shall preside at such meeting.

14. *Quorum.*—No business shall be transacted at any meeting unless at least one-third of the total number of members are present:

Provided that if at any meeting less than one-third of the total number of members are present, the Chairman may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present.

15. *Disposal of business.*—All business shall be considered at a meeting of the Committee, Advisory Committee or the Board, as the case may be, and shall be decided by a majority of the votes of the members present and voting. In the event of an equality of votes the Chairman shall have a casting vote:

Provided that the Chairman may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members:

Provided further that no decision on any question which is referred under the preceding proviso shall be taken, unless supported by not less than a two-third majority of the members.

16. *Method of voting.*—Voting shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairman so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairman may decide.

17. *Proceedings of the meeting.*—(1) The proceedings of each meeting showing *inter alia* the names of the members present thereat shall be forwarded to each member and to the Government as soon after the meeting as possible and in any case, not less than seven days, before the next meeting.

(2) The proceedings of each meeting shall be confirmed with such modifications, if any, as may be considered necessary at the next meeting.

Chapter III.

Summoning of witnesses by the Committee, Advisory Committee and the Board and production of documents.

18. *Summoning of witness and production of documents.*—(1) A Committee, Advisory Committee or the Board may summon any person to appear as a witness in the course of an enquiry. Such summons may require a witness to appear before it on a date specified therein and to produce any books, papers or other documents and things in his possession or under his control relating in any manner to the enquiry.

(2) A summons under sub-rule (1) may be addressed to an individual or an organization of employers or a registered trade union of workers.

(3) A summons under this rule may be served—

(i) in the case of an individual, by being delivered or sent to him by registered post;

(ii) in the case of an employers' organization or a registered trade union of workers, by being delivered or sent by registered post to the secretary or other principal officer of the organization or union, as the case may be.

(4) The provision of the Code of Civil Procedure, 1908, relating to the summoning and enforcement of the appearance of witnesses and the production of documents shall, so far as may be, apply to proceedings before a Committee, Advisory Committee or the Board.

(5) There shall not be included in any proceedings under this rule, any information obtained by the Chairman, Committee, Advisory Committee or the Board in the course of any investigation or enquiry in respect of a trade union or any individual business (whether carried on by a person, firm or company) which is not available otherwise than through the evidence given before such Chairman, if the trade union, person, firm or company in question has made a request in writing to the Chairman that such information shall be treated as confidential; nor shall such Chairman or any individual member of the Committee, Advisory Committee or the Board or any person present at or concerned in the proceedings, disclose any such information without the consent in writing of the Secretary of the trade union or the person, firm, or company in question, as the case may be:

Provided that nothing contained in this rule shall apply to a disclosure of any such information for the purpose of a prosecution under section 193 of the Indian Penal Code (Central Act XLV of 1860).

19. *Expenses of witnesses.*—Every person who is summoned and appears as a witness before the Committee, the Advisory Committee or the Board shall be entitled to an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowances to witnesses appearing in civil courts in the State of Madras.

Chapter IV.

Computation and Payment of Wages, hours of work and holidays.

20. *Mode of computation of the cash value of wages.*—The retail prices at the nearest market shall be taken into account in computing the cash value of wages paid in kind and of concessions in respect of essential commodities supplied at concession rates. This computation shall be made in accordance with such directions as may be issued by the Government from time to time.

21. *Time and conditions of payment of wages and the deductions permissible from wages.*—(1) (i) The wage period with respect to any scheduled employment for which wages have been fixed shall not exceed one month and the wages of a worker in such employment shall be paid before the expiry of the tenth day after the last day of the wage period.

(ii) Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the seventh working day after the day on which his employment is terminated.

(iii) The wages of an employed person shall be paid to him without deduction of any kind except those authorized by or under these rules.

Explanation.—Every payment made by the employed person to the employer or his agent shall, for the purposes of these rules, be deemed to be a deduction from wages.

(2) Deductions from the wages of a person employed in a scheduled employment may be of one or more of the following kinds, namely:—

(i) fines,

(ii) deductions for absence from duty;

(iii) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;

(iv) deductions for house accommodation supplied by the employer;

(v) deductions for such amenities and services supplied by the employer as the Government may by general or special order authorize;

Explanation.—The words 'amenities and services' in this clause do not include the supply of tools and protectives required for the purposes of employment.

(vi) deductions for recovery of advances or for adjustment of over-payments of wages:

Provided that such advances do not exceed an amount equal to wages for two months of the employed person and, in no case, shall the monthly instalment of deduction exceed one-fourth of the wages earned in that month.

(vii) deductions of income-tax or any tax that may be levied by the Government or local authority payable by the employed person;

(viii) deductions required to be made by order of a court or other authority;

(ix) deductions for subscriptions to, and for repayment of advances from any provident fund to which the Provident Fund Act, 1925, applies or any recognized provident fund as defined in section 58-A of the Indian Income-tax Act, 1922, or any provident fund approved in this behalf by the Government during the continuance of such approval;

(x) deductions for payment to co-operative societies or to a scheme of insurance approved by the Government.

(3) Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him shall explain to him in writing, the act or omission or the damage or loss, in respect of which the fine or deduction is proposed to be imposed or made and give him an opportunity to offer any explanation in writing and also in person, if he so desires. The amount of the said fine or deduction shall also be intimated to him in writing and a receipt obtained for such intimation. With regard to deductions other than fines, or deductions for damage to or loss of goods, deductions shall be made or receipt of authorization letter from the employed person, except where such deductions are made for absence from duty.

(4) The total amount of fine which may be imposed under sub-rule (3) shall not exceed in any one wage period an amount equal to half anna in the rupee of the wages payable to the employed person in respect of such wage period. All such deductions and all realizations thereof shall be recorded in a register maintained in Forms I, II and III, as the case may be. A return in Form III shall be submitted annually by the employer.

(5) All realizations from fines shall be applied only to such purposes which are beneficial to the persons employed in the scheduled employments as are generally approved by the Government in this behalf.

(6) Nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936 and the Madras Shops and Establishments Act, 1947.

22. *Publicity to the minimum wage fixed under the Act.*—Notices containing the minimum rates of wages fixed under the Act together with extracts from the Act, the rules made thereunder and the name and address of the Inspector shall be displayed in English and in a language understood by the majority of the workers in the employment at such place as may be selected by the Inspector and shall be maintained in a clean and legible condition. Such notices shall also be displayed on the notice boards of the offices of the Collectors, Revenue Divisional Officers, Tahsildars and Deputy Tahsildars in all the districts. In the case of employment in Agriculture, the notices shall also be displayed in all the District Offices of the Agricultural Department and in the case of any other scheduled employment, such notices shall also be displayed in all the District Offices of the Industries Department.

23. *Weekly holidays.*—(1) Unless otherwise permitted by the Government, no worker shall be required or allowed to work in a scheduled employment, on the first day of the week (hereinafter referred to as the said day) except where he has or will have a holiday for the whole day on one of the three days immediately before or after the said day. Every worker who shall be required or allowed to work in a scheduled employment on the said day shall be paid wages equal to his average daily wages during the week he has last worked:

Provided that the weekly holiday may be substituted by another day:

Provided further that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Where in accordance with the provision of sub-rule (1) any worker works on the said day and has had a holiday on one of the five days immediately preceding it, the said day shall, for the purposes of calculating his weekly hours of work, be included in the preceding week.

Explanation.—For the purposes of this rule 'week' shall mean a period of seven days beginning at midnight on Saturday night.

(3) Nothing in this rule shall be deemed to affect the provisions of the Madras Shops and Establishments Act, 1947.

24. *Number of hours of work which shall constitute a normal working day.*—(1) The number of hours which shall constitute a normal working day shall be—

(*a*) in the case of an adult, 9 hours;

(*b*) in the case of a child, 4½ hours.

(2) The period of work of an adult worker each day shall be so fixed that no period shall exceed five hours and that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour.

(3) The periods of work of an adult worker in a scheduled employment other than employment in any plantations shall be so arranged that inclusive of his intervals for rest under sub-rule (2), they shall not spread over more than ten and a half hours in any day:

Provided that the Inspector may, for reasons to be specified in writing, increase the spreadover to twelve hours.

(4) The number of hours of work in the case of an adolescent shall be the same as that of an adult or a child according as he is certified to work as an adult or a child by a competent medical practitioner approved by the Government.

(5) The provisions of sub-rules (1) to (4) shall, in the case of workers in agricultural employment, be subject to such modifications as may, from time to time, be notified by the Government.

25. *Extra wages for overtime.*—(1) When a worker works in an employment for more than nine hours on any day or for more than forty-eight hours in any week, he shall, in respect of overtime work, be entitled to wages—

(*a*) in the case of employment in agriculture, at one and a half time the ordinary rate of wages;

(*b*) in the case of any other scheduled employment, at double the ordinary rate of wages.

Explanation.—The expression "ordinary rate of wages" means the basic wage *plus* such allowances including the cash equivalent of the advantages accruing through the concessional sale to the person employed of foodgrains and other articles as the person employed is for the time being entitled to but does not include a bonus.

(2) A register showing overtime payments shall be kept in Form IV. Overtime work shall be entered up in the Register before the commencement of such work:

Provided that no such Register need be kept in the case of an establishment where an overtime Muster Roll as prescribed in Form No. 10 of the Madras Factories Rules, 1950, is kept.

26. *Form of registers and records.*—(1) A Register of Wages shall be maintained by every employer and kept in such form as may be notified by the Government and shall include the following particulars:—

(*a*) the minimum rates of wages payable to each employed person;

(*b*) the number of days for which each employed person worked overtime for each wage period;

(*c*) the gross wages of each person employed for each wage period;

(*d*) all deductions made from wages, with an indication, in each case, of the kinds of deductions mentioned in sub-rule (2) of rule 21; and

(*e*) the wages actually paid to each person employed for each wage period and the date of payment.

(2) Wage slips containing the aforesaid particulars and such other particulars as may be notified by the Government shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages.

(3) Every employer shall get the signature or the thumb-impression of every person employed on the wage books and wage slip.

(4) Entries in the wage books and wage slips shall be authenticated by the employer or any person authorized by him in this behalf.

(5) A Muster Roll shall be maintained by every employer and kept in Form V and it shall be written up every day on which work is performed:

Provided that no Muster Roll need be maintained in the case of an establishment where a muster roll as prescribed in Form No. 25-A of the Madras Factories Rules, 1950, or a register of employment as prescribed in Forms E and F of the Madras Shops and Establishments Rules, 1948, is maintained.

CHAPTER V.

Claims under the Act.

27. *Application.*—An application under sub-section (2) of section 20 or sub-section (1) of section 21, by or on behalf of an employed person or group of employed persons, shall be made in duplicate in Forms VI and VII, as the case may be.

28. *Authorization.*—The authorization to act on behalf of an employed person or persons, under sub-section (2) of section 20 or of sub-section (1) of section 21 shall be given in Form VIII by an instrument which shall be presented to the authority hearing the application and shall form part of the record.

29. *Appearance of parties.*—(1) If an application under sub-section (2) of section 20 or section 21 is entertained, the authority shall serve upon the employer by registered post a notice on Form IX to appear before him on a specified date with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(2) If the employer or his representative fails to appear on the specified date, the authority may hear and determine the application *ex parte*.

(3) If the applicant or his representative fails to appear on the specified date, the authority may dismiss the application.

(4) An order passed under sub-rule (2) or sub-rule (3) may be set aside on sufficient cause being shown by the defaulting party within one month of the date of the said order and the application shall then be re-heard after service of notice on the opposite party of the date fixed for re-hearing, in the manner specified in sub-rule (1).

CHAPTER VI.

Scale of costs in proceedings under the Act.

30. *Costs.*—(1) The authority, for reasons to be recorded in writing, may direct that the cost of any proceeding pending before it shall not follow the event.

(2) The costs which may be awarded shall include—

(i) expenses incurred on account of court-fees;

(ii) expenses incurred on subsistence money to witnesses; and

(iii) pleaders' fees to the extent of ten rupees provided that the authority in any proceeding may reduce the fees to a sum not less than five rupees or for reasons to be recorded in writing increase it to a sum not exceeding twenty-five rupees.

(3) Where there are more than one pleader or more than one applicant or opponents the authority may, subject as aforesaid, award to the successful party or parties such costs as it may deem proper.

31. *Court-fees.*—The court-fee payable in respect of proceedings under section 20 shall be—

(i) for every application to summon a witness—One rupee in respect of each witness;

(ii) for every application made by or on behalf of an individual—One rupee:

Provided that the authority may, if in its opinion, the applicant is a pauper, exempt him wholly or partly from the payment of such fees:

Provided further that no fee shall be chargeable—

(*a*) from persons employed in agriculture; or

(*b*) in respect of an application made by an Inspector.

FORM I.

[Rule 21 (4).]

Register of Fines.

Employer

Serial number.	*Name.*	*Father's/Husband's name.*	*Sex.*	*Department.*	*Nature and date of the offence for which fine imposed.*	*Whether show cause notice was served.*	*Whether workman showed cause against fine or not. If so, enter date.*	*Rate of wages.*	*Date and amount of fine imposed.*	*Date on which fine realized.*	*Remarks.*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

FORM II.

[Rule 21 (4).]

Register of deductions for damage or loss caused to the employer, by the neglect or default of the employed persons.

Employer

Serial number.	*Name.*	*Father's/Husband's name.*	*Sex.*	*Department.*	*Damage or loss caused with date.*	*Whether show cause notice was served.*	*Whether worker showed cause against deduction. If so, enter date.*	*Date and amount of deduction imposed.*	*Number of instalments, if any.*	*Date on which total amount realized.*	*Remarks.*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

FORM III.

[Rule 21 (4).]

Deduction from wages.

Return for the year ending the 31st December

1 Name of the employer and postal address

2 Total number of persons employed { Adults / Children

3 Total wages paid

4 Number of cases and amounts realized as—

	Number of cases.	*Amount.*
(*a*) Fines		
(*b*) Deductions for damage or loss		
(*c*) Deductions for breach of contract		

5 Disbursements from Fine Fund

Amount	*Purpose.*
RS.	

Dated 19

Signature

Designation

FORM IV.

[Rule 25 (2).]

Overtime register for workers.

Month ending 19

Serial number.	*Name.*	*Father's/Husband's name.*	*Sex.*	*Designation and department.*	*Dates on which overtime worked.*	*Extent of overtime on each occasion.*	*Total overtime worked or production in case of piece-workers.*	*Normal hours.*	*Normal rate.*	*Overtime rate.*	*Normal earnings.*	*Overtime earnings.*	*Total earnings.*	*Dates on which overtime payment made.*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)

FORM V.

[Rule 26 (5).]

Muster Roll.

Name of Establishment Place

Serial number.	*Name.*	*Father's/Husband's name.*	*Sex.*	*Nature of work.*	*For the period ending* (1)	(2)	(3)	(4)	(5)	*Remarks.*

FORM VI.

[*Form of application by an employee under section* 20 (2).]

In the Court of the Authority appointed under the Minimum Wages Act, 1948, for area.

Application No. of 19

(1)
(2) } Applicant(s)
(3)

(through a Legal Practitioner official of Union which is a registered Trade Union).

Address

Versus

(1)
(2) } Opponents.
(3)

Address

The applicant(s) above named beg(s) respectfully to submit as follows:—

(1)

(2) that

The applicant(s) has (have) been paid wages at less than the minimum rate of wages.

The applicant(s) estimate(s) the value of the relief sought by him (them) at the sum of Rs.

The applicant(s) pray(s) that a direction may be issued under sub-section (3) of section 20 for—

(*a*) Payment of the difference between the wages due according to the minimum rate of wages fixed by the Government and the wages actually paid, and

(*b*) compensation amounting to Rs.

The applicant(s) beg(s) leave to amend or add to or make alterations in the application, if any, and when necessary.

Date

Signature or thumb-impression of the employee(s), legal practitioner or official of a registered trade union duly authorized.

* When the application is by a group of employees the thumb-impression or signatures of two of the applicants need be put to the application and a full list of applicants should be attached to the application.

The applicant(s) do(es) solemnly declare that what is stated above is true to the best of his (their) knowledge, belief and information.

This verification is signed at on day of 19 .

Signature or thumb-impression of the employee(s) or legal practitioner or official of a registered trade union duly authorized.

FORM VII.

[*Form of application by an Inspector or person acting with the permission of the authority under section* 20 (2).]

In the Court of the Authority appointed under the Minimum Wages Act, 1948, for area.

Application No. of 19 .

(1) Applicant.

Address

Versus

(1) Opponent.

Address

The applicant above named begs respectfully to submit as follows:—

(1) that

(2) that

The opponent is bound to pay wages at the minimum rate of wages fixed by Government but he has paid less wages to the following employees:—

(1)

(2)

(3)

The applicant estimates the value of the relief sought for the employees at the sum of Rs.

The applicant prays that a direction may be issued under sub-section (3) of section 20 for—

(*a*) Payment of the difference between the wages due according to the minimum rate of wages fixed by Government and the wages actually paid, and

(*b*) compensation amounting to Rs.

The applicant begs leave to amend or add to or make alterations in the application if and when necessary.

Signature

Date

The applicant does solemnly declare that what is stated above is true to the best of his knowledge, belief and information. This verification is signed at on day 19

FORM VIII.

[*Form of Authority in favour of a Legal Practitioner or any Official of a Registered Trade Union referred to in section* 20 (2).]

In the Court of the Authority appointed under the Minimum Wages Act, 1948, for area.

Application No. of 19

(1)
(2)
(3) } Applicant(s)

Versus

(1)
(2)
(3) } Opponent(s)

I hereby authorize Mr. , a legal practitioner, an official of the registered trade union of to appear and act on my behalf in the above-described proceeding and to do all things incidental to such appearing and acting.

Signature or thumb impression of the employee.

Date

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* When the application is by a group of employees, the thumb-impression or signatures of two of the applicants need be put to the application and a full list of applicants should be attached to the application.

FORM IX.

[*Form of Summons to the Opponent to appear before the Authority when an Application under sub-section* (2) *of section* 20 *or under section* 21 *is entertained.*]

(Title of the application.)

To

(Name, description and place of residence.)

WHEREAS has made the abovesaid application to me under the Minimum Wages Act, 1948, you are hereby summoned to appear before me in person or by a duly authorized agent, able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all such questions, on the day of 19 , at o'clock in the noon, to answer the claim; and as the day fixed for the appearance is appointed for the final disposal of the application you must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon which you intend to rely in support of your defence.

Take notice that in default of your appearance on the day before mentioned, the application will be heard and determined in your absence.

Date

Signature of the Authority.

(True Copy)

R. Venkatarangan 8.7.56
Superintendent
Madras Record Office.